

REMARKS

Applicants thank the Examiner for total consideration given the present application. Claims 1-10 are currently pending of which claims 1, 5, 6, and 10 are independent. Claims 5 and 10 remain withdrawn as being directed to a non-elected invention. Claims 1, 2 and 6-9 have been amended through this Reply. The Specification has also been amended in order to correct a minor typographical error. Applicants respectfully request reconsideration of the rejected claims in light of the amendments and remarks presented herein, and earnestly seek timely allowance of all pending claims.

OBJECTION TO THE CLAIM

Claim 1 is objected to for minor informalities. *See Office Action, item 2.* This claim has been amended to address this objection. Accordingly, Applicants respectfully request that the objection to claim 1 be withdrawn.

35 U.S.C. § 112, 2ND PARAGRAPH REJECTION

Claims 1 and 6 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite.

Although Applicants do not necessarily agree with the Examiner's assertion of indefiniteness, Applicants have amended claims 1 and 6 to include, *inter alia*, "calculating a distance-correction value, by inputting the calculated distance for corresponding variable in an N-order function which has coefficients for the variable, N being a positive integer" in order to expedite prosecution.

Accordingly, Applicants respectfully request that the Section 112, second paragraph rejection of claims 1 and 6 be withdrawn.

35 U.S.C. § 101 REJECTION

Claims 1-4 stand rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Particularly, the Examiner alleges that the claimed "process" must (1) be tied to another statutory category (such as a particular apparatus), or (2) transform underlying subject matter (such as an article or material) to a different state or thing.

Although Applicants do not necessarily agree with the Examiner that claims 1-4 are non-statutory, claim 1 has been amended to positively recite a “distance calculating unit” and a in order to expedite prosecution. Thus, at least in view of this amendment it is respectfully submitted that the claimed “process” ties to another statutory category (such as a particular apparatus). Accordingly, it is respectfully requested to withdraw this rejection.

35 U.S.C. § 102 REJECTION – Sato

Claims 1-4 and 6-9 are rejected under 35 U.S.C. § 102 as allegedly being anticipated by Sato et al. (U.S. Patent Publication No. 2003/0156204)[hereinafter "Sato"]. Applicants respectfully traverse this rejection.

For a Section 102 rejection to be proper, the cited reference must teach or suggest each and every claimed element. *See M.P.E.P. 2131; M.P.E.P. 706.02.* Thus, if the cited reference fails to teach or suggest one or more elements, then the rejection is improper and must be withdrawn.

In this instance, Sato fails to teach or suggest each and every claimed element. For example, amended independent claim 1 recites, *inter alia*, “a distance-correction value calculating step of calculating a distance-correction value, by inputting the calculated distance for corresponding variable in an N-order function which has coefficients for the variable, N being a positive integer; a correction coefficient calculating step of calculating, based on a preliminarily set table that represents correspondences between distance-correction values and correction coefficients, a correction coefficient corresponding to the calculated distance-correction value, and a pixel signal correcting step of correcting a signal for the pixel based on the correction coefficient, wherein the coefficients for the variable are changeable.” *Emphasis added.*

Likewise, amended independent claim 6 recites, *inter alia*, “a distance-correction value calculating unit that calculates a distance-correction value, by inputting the calculated distance for corresponding variable in an N-order function which has coefficients for the variable, N being a positive integer; a correction coefficient calculating unit that calculates, based on a preliminarily set table that represents correspondences between distance-correction values and

correction coefficients, a correction coefficient corresponding to the distance-correction value that has been calculated by the distance-correction value calculating unit; and a pixel signal correcting unit that corrects a signal for the pixel based on the correction coefficient that has been calculated by the correction coefficient calculating unit, wherein the coefficients for the variable are changeable. *Emphasis added.*

It is respectfully submitted that Sato fails to teach or suggest the above-identified feature of claims 1 and 6.

Sato discloses an image pick-up device 3 in which shading is corrected by utilizing correction coefficients provided in a lookup table (LUT) 8. These correction coefficients correspond to distance values and are output to a correction block 9. More specifically, distance values from an arbitrary point are calculated for a desired point on a display screen of the imaging device 3, and the calculated distance values are converted according to the number of pixels by using converted distance values to determine correction coefficients. (*See paragraphs [0043], [0047], and [0050].*)

Sato is distinguished from the claimed invention in that nowhere does Sato teach or suggest a correction coefficient calculating unit (or step) that calculates, based on a preliminarily set table that represents correspondences between distance-correction values and correction coefficients, a correction coefficient corresponding to the calculated distance-correction value. Although, Sato discloses a LUT 8, the values of the LUT are provided calculations of the number of pixels forming the maximum distances (diagonal lines) for each of seven types of semiconductor image pick-up devices, the number of pixels of which range from 790,000 pixels to 12,600,000 pixels and not based on a preliminary set table. (*See paragraph [0043].*)

Further, Sato fails to teach or suggest a distance-correction value in which a variable used in determining the value can be changed to make adjustments. Furthermore, Sato fails to teach or suggest correcting a signal for a pixel based on a correction coefficient where the coefficients for the variable are changeable. Sato does not teach or suggest the ability to make dynamic adjustments for different properties of the apparatus by providing changeable variables and coefficients.

Therefore, for at least these reasons, independent claims 1 and 6 are distinguishable from Sato. Claims 2-4 depcnd from claim 1 and claims 7-9 depend from claim 6. Therefore, for at least the reasons stated with rcspect to claims 1 and 6, claims 2-4 and 7-9 are also distinguishable from Sato.

CONCLUSION

All rejections raiscd in the Officc Action having been addressed, it is respectfully submitted that the prsent application is in condition for allowance. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejcction, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, exccpt as specifically stated in this paper, and the amendment of any claims does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Ali M. Imam Reg. No. 58,755 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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